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		PARKS, LLP	LIN, KENNY S		
One GOJO Suite 300	Plaza			ART UNIT PAPER NUMBE	
AKRON, OH 44311-1076				2154	

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
Office Action Commence	09/970,767	JAMAIL ET AL.					
Office Action Summary	Examiner	Art Unit					
	Kenny Lin	2154					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to communication(s) filed on 19 Oc	ctober 2005.						
	·						
3) Since this application is in condition for allowar		secution as to the ments is					
,—	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4)⊠ Claim(s) <u>1,2,4-8 and 11-29</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1,2,4-8 and 11-29</u> is/are rejected.							
7) Claim(s) is/are objected to.							
•	·						
Application Papers							
9)☐ The specification is objected to by the Examiner.							
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a) ☐ All b) ☐ Some * c) ☐ None of:							
1. Certified copies of the priority documents	s have been received.						
2. Certified copies of the priority documents	s have been received in Applicati	on No					
3. Copies of the certified copies of the prior	ity documents have been receive	ed in this National Stage					
application from the International Bureau	ı (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
I) ⊠ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413)							
Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date							
	· <u> </u>						

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DETAILED ACTION

1. Claims 1-2, 4-8 and 11-29 are presented for examination. Claims 3, 9-10 and 30-32 are canceled.

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/19/2005 has been entered.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1-2, 11-12 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Major, US 6,542,967, in view of Burns et al (Burns), US 6,324,182.
- 5. As per claims 1 and 22, Major taught the invention substantially as claimed including a method/system to cache and redistribute streaming digital data content, said method comprising:

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a. Receiving a first content request, for a streaming content, from a requesting client machine, wherein said requesting client machine does not send information identifying a secondary server containing said streaming content corresponding to said first content request (col.5, lines 10-27);

- b. Generating a second content request based on the first content request (col.5, lines 20-21);
- c. Transmitting the second content request to at least one secondary server known to contain said streaming content (col.5, lines 20-27);
- d. Receiving said streaming content from said at least one secondary server in response to said second content request (col.5, lines 20-24); and
- e. Forwarding, to the requesting client machine, the received streaming content as a content corresponding to the first content request and simultaneously caching the received streaming content locally such that the cached streaming content is directly available in response to a subsequent content request from a same or a different requesting client machine (col.5, lines 20-24).
- 6. Major did not specifically teach to re-stream the streaming content to the requesting client machine. Burns taught to stream the requested streaming content to the client machine (col.4, lines 39-41, col.5, lines 7-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major and Burns because Burns' teaching of pre-caching the contents enables requesting users of Major's method to receive content using real-time streaming (see Burns, col.4, liens 36-47).

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- as per claim 11, Major taught the invention substantially as claimed including a system usable to cache and redistribute streaming digital data content, said system comprising a proxy server able to receive a first content request for a streaming content from a requesting client machine, wherein said requesting client machine does not send information identifying a secondary server containing said streaming content corresponding to said first content request (col.5, lines 10-27), and said proxy server able to generate and transmit a second content request to at least one secondary server known to contain said streaming content (col.5, lines 20-21), and said proxy server able to receive the streaming content from said at least one secondary server in response to said second content request (col.5, lines 20-24) and, to the requesting client machine, the received streaming content as a content corresponding to the first content request and simultaneously cache the received streaming content locally at said proxy server such that the cached streaming content is directly available from said proxy server in response to a subsequent content request from a same or a different requesting client machine (col.5, lines 20-27).
- 8. Major did not specifically teach to re-stream the streaming content to the requesting client machine. Burns taught to stream the requested streaming content to the client machine (col.4, lines 39-41, col.5, lines 7-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major and Burns because Burns' teaching of pre-caching the contents enables requesting users of Major's method to receive content using real-time streaming (see Burns, col.4, liens 36-47).

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9. As per claim 2, Major and Burns taught the invention substantially as claimed in claim 1. Major further taught to determine, before generating the second content request, if at least part of the streaming content corresponding to the first content request is locally cached; and restreaming the locally cached streaming content as at least a part of the content corresponding to the first content request and performing the generating, transmitting, receiving and caching steps for any un-cached part of said streaming content corresponding to said first content request as part of updating said locally cached streaming content (col.5, lines 10-27).

- 10. As per claims 12 and 23, Major and Burns taught the invention substantially as claimed in claims 11 and 22. Major further taught to comprise a storage device usable to cache said streaming content locally relative to the proxy server (col.5, lines 10-27).
- As per claim 24, Major and Burns taught the invention substantially as claimed in claim 23. Major further taught to comprise means for determining whether content corresponding to the first content request is stored in the storing means, such that, when content corresponding to the first content request is stored in the storing means, the means for transmitting the received content transmits the content stored in the storage means corresponding to the first content request to the requesting client machine as the content corresponding to the first content request (col.5, lines 10-27).

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12. Claims 4-5, 13-15 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Major and Burns as applied to claims 1-2, 11-12, 22-24 above, and further in view of Doyle, US 6,678,793.

- 13. Doyle was cited in the previous office action.
- 14. As per claim 4, Major and Burns taught the invention substantially as claimed in claim 2. Major and Burns did not specifically teach to determine, if the streaming content corresponding to the first content request is locally cached, whether to update the locally cached streaming content corresponding to the first content request; re-stream the locally cached streaming content as the content corresponding to the first content request in place of performing the generating, transmitting, receiving and caching steps if the locally cached streaming content is not to be updated; and perform the generating, transmitting, receiving and caching steps if the locally cached streaming content is to be updated. Doyle taught to comprise:
 - a. Determining, if the streaming content corresponding to the first content request is locally cached, whether to update the locally cached streaming content corresponding to the first content request (col.7, lines 17-22, 32-37);
 - b. Re-streaming the locally cached streaming content as the content corresponding to the first content request in place of performing the generating, transmitting, receiving and caching steps if the locally cached streaming content is not to be updated (col.7, lines 38-40); and

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c. Performing the generating, transmitting, receiving and caching steps if the locally cached streaming content is to be updated (col.7, lines 48-55, col.8, lines 15-26).

- 15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Doyle because Doyle's teaching determining whether the cached content is valid or not enables Major and Burns' method to retrieving the updated contents from a remote server (See Doyle, col.7, lines 32-40, 48-55, col.8, lines 15-26).
- 16. As per claim 5, Major, Burns and Doyle taught the invention substantially as claimed in claim 4. Doyle further taught to determine whether to update the locally cached streaming content corresponding to the first content request comprises at least one of determining if the locally cached streaming content corresponding to the first content request is older than an update age (col. 1, lines 43-46, col. 7, lines 32-34); determining if the locally cached streaming content corresponding to the first content request includes expiration information (col. 1, lines 43-46, col. 7, lines 32-34).
- 17. As per claim 13, Major and Burns taught the invention substantially as claimed in claim 12. Major and Burns did not specifically teach the proxy server to determine whether said streaming content corresponding to the first content request is cached, partially or fully, in the storage device, such that, if any part of said streaming content corresponding to the first content request is cached in the storage device, the proxy server re-streams the part of the streaming

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content cached in the storage device corresponding to the first content request to the requesting client machine as at least a part of the streaming content corresponding to the first content request. Doyle taught the proxy server to determine whether said streaming content corresponding to the first content request is cached, partially or fully, in the storage device (col.7, lines 17-22), such that, if any part of said streaming content corresponding to the first content request is cached in the storage device, the proxy server re-streams the part of the streaming content cached in the storage device corresponding to the first content request to the requesting client machine as at least a part of the streaming content corresponding to the first content request (col.7, lines 38-40). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Doyle because Doyle's teaching determining whether the cached content is valid or not enables Major and Burns' method to retrieving the updated contents from a remote server (See Doyle, col.7, lines 32-40, 48-55, col.8, lines 15-26).

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18. As per claim 14, Major and Burns taught the invention substantially as claimed in claim 12. Major and Burns did not specifically teach the proxy server to determine, for a particular steaming content cached in the storage device, whether to update that particular streaming content cached in the storage device in response to receiving a content request to which that particular streaming content corresponds. Doyle taught the proxy server to determine, for a particular steaming content cached in the storage device, whether to update that particular streaming content cached in the storage device in response to receiving a content request to which that particular streaming content corresponds (col.1, lines 43-46, col.7, lines 32-34). It

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would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Doyle because Doyle's teaching determining whether the cached content is valid or not enables Major and Burns' method to retrieving the updated contents from a remote server (See Doyle, col.7, lines 32-40, 48-55, col.8, lines 15-26).

- 19. As per claim 15, Major, Burns and Doyle taught the invention substantially as claimed in claim 14. Doyle further taught that when the proxy server determine to update the streaming content, the proxy server transmits a second content request to which that particular streaming content corresponds to at least one secondary server (col.7, lines 48-55, col.8, lines 15-26).
- 20. As per claim 25, Major and Burns taught the invention substantially as claimed in claim 23. Major and Burns did not specifically teach to comprise updating means for determining, for a particular content stored in the storing means, whether to update that particular content stored in the storing means in response to receiving a content request to which that particular content corresponds. Doyle taught to comprise updating means for determining, for a particular content stored in the storing means, whether to update that particular content stored in the storing means in response to receiving a content request to which that particular content corresponds (col.1, lines 43-46, col.7, lines 32-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Doyle because Doyle's teaching determining whether the cached content is valid or not enables Major and Burns' method to retrieving the updated contents from a remote server (See Doyle, col.7, lines 32-40, 48-55, col.8, lines 15-26).

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21. As per claim 26, Major, Burns and Doyle taught the invention substantially as claimed in claim 25. Doyle further taught that when the updating means determines to update the content, the means for generating and transmitting transmits a second content request to which that particular content corresponds to at least one secondary server (col.7, lines 48-55, col.8, lines 15-26).

- 22. Claims 8, 16-21 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Major and Burns as applied to claims 1-2, 11-12 and 22-23 above, and further in view of Shannon, US 6,233,618.
- 23. Shannon was cited in the previous office action.
- 24. As per claim 8, Major and Burns taught the invention substantially as claimed in claim 1.

 Major and Burns did not specifically teach the method to comprise
 - a. Determining whether at least one secondary server is known to store at least a
 type of content that corresponds to the streaming content corresponding to the
 first content request based on a stored content map;
 - b. Searching, if at least one secondary server is not known, a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the streaming content corresponding to the first content request;

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c. Adding, in response to the searching step, to the stored content map the at least one identified secondary server located by the search; and

- d. Transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step.
- Shannon taught a method to restrict user access using categories to determine whether at 25. least one secondary server is known to store at least a type of content that corresponds to the streaming content corresponding to the first content request based on a stored content map (col.9, lines 18-24, 64-67, col. 10, lines 1-28); searching a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the streaming content corresponding to the first content request if at least one secondary server is not known (col. 10, lines 10-28); in response to the searching step, adding to the stored content map the at least one identified secondary server located by the search (col.10, lines 21-28) and transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step (col. 10, lines 24-28, col. 12, lines 37-45, col. 13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Shannon because Shannon's teaching of accessing control and database matching enables Major and Burns' method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

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- 26. As per claim 16, Major and Burns taught the invention substantially as claimed in claim 12. Major and Burns did not specifically teach to comprise a content map that indicates, for at least some content requests, at least one secondary server known to store at least a type of content that corresponds to that content request and wherein said content map indicates, at least for some content requests, if a streaming content corresponding to a content request needs to be updated because only a part of said streaming content is presently cached in said storage device. Shannon taught to comprise a content map that indicates, for at least some content requests, at least one secondary server known to store at least a type of content that corresponds to that content request (col.9, lines 18-24, 64-67, col.10, lines 1-28; category database), and wherein said content map indicates, at least for some content requests, if a streaming content corresponding to a content request needs to be updated because only a part of said streaming content is presently cached in said storage device (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Shannon because Shannon's teaching of accessing control and database matching enables Major and Burns' method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.
- 27. As per claim 17, Major, Burns and Shannon taught the invention substantially as claimed in claim 16. Shannon further taught that the proxy server determines the at least one secondary

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server to which the second content request is transmitted based on the content map (col.9, lines 18-24, 64-67, col.10, lines 1-28).

- As per claim 18, Major, Burns and Shannon taught the invention substantially as claimed in claim 16. Shannon taught a proxy server to determine whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the streaming content corresponding to the first content request, the proxy server generating a search of a plurality of secondary servers if the content map does not indicates at least one secondary server known to store at least a type of content that corresponds to the streaming content corresponding to the first content request, and the proxy server updating the content map based on results of the search (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Shannon because Shannon's teaching of accessing control and database matching enables Major and Burns' method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.
- As per claim 19, Major and Burns taught the invention substantially as claimed in claims 11. Major and Burns did not specifically teach to comprise a content map that indicates at least one secondary server known to store at least a type of content that corresponds to a content request. Shannon taught to comprise a content map that indicates at least one secondary server known to store at least a type of content that corresponds to a content request (col.9, lines 18-24,

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64-67, col.10, lines 1-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Shannon because Shannon's teaching of accessing control and database matching enables Major and Burns' method to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.

- 30. As per claims 20, Major, Burns and Shannon taught the invention substantially as claimed in claim 19. Shannon further taught that the proxy server determines the at least one secondary server to which the second content request is transmitted based on the content map (col.9, lines 18-24, 64-67, col.10, lines 1-28).
- As per claim 21, Major, Burns and Shannon taught the invention substantially as claimed in claims 19. Shannon further taught a proxy server to determine whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the streaming content corresponding to the first content request, the proxy server generating a search of a plurality of secondary servers if the content map does not indicates at least one secondary server known to store at least a type of content that corresponds to the streaming content corresponding to the first content request, the proxy server updating the content map based on results of the search (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59).

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- 32. As per claims 27, Major and Burns taught the invention substantially as claimed in claim 22. Major and Burns did not specifically teach to further comprise a content map that indicates, for at least some content requests, at least one secondary server known to store at least a type of content that corresponds to that content request. Shannon taught to comprise a content map that indicates at least one secondary server known to store at least a type of content that corresponds to a content request (col.9, lines 18-24, 64-67, col.10, lines 1-28; category database) and further use the content map to match the content request and determine whether the requesting user is permitted to access the secondary server (col.10, lines 24-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns and Shannon because Shannon's teaching of accessing control and database matching enables Major and Burns' system to match the content categories in the request and determine whether the user is permitted to access the particular server to obtain the requested content.
- 33. As per claim 28, Major, Burns and Shannon taught the invention substantially as claimed in claim 27. Shannon further taught that the means for generating and transmitting determines the at least one secondary server to which the second content request is transmitted based on the content map (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59).
- 34. As per claim 29, Major, Burns and Shannon taught the invention substantially as claimed in claim 27. Shannon further taught that the means for generating and transmitting determines

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whether the content map indicates at least one secondary server known to store at least a type of content that corresponds to the streaming content corresponding to the first content request, the means for generating and transmitting generating a search of a plurality of secondary servers if the content map does not indicate at least one secondary server known to store at least a type of content that corresponds to the streaming content corresponding to the first content request, the means for generating and transmitting updating the content map based on results of the search (col.10, lines 10-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59).

- 35. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Major, Burns and Doyle as applied to claim 4 above, and further in view of Shannon, US 6,233,618.
- 36. As per claims 6-7, Major, Burns and Doyle taught the invention substantially as claimed in claims 1-5. Major, Burns and Doyle did not specifically teach the method to comprise:
 - a. Determining whether at least one secondary server is known to store at least a
 type of content that corresponds to the streaming content corresponding to the
 first content request based on a stored content map;
 - b. Searching, if at least one secondary server is not known, a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the streaming content corresponding to the first content request;

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c. Adding, in response to the searching step, to the stored content map the at least one identified secondary server located by the search; and

- d. Transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step.
- Shannon taught a method to restrict user access using categories to determine whether at 37. least one secondary server is known to store at least a type of content that corresponds to the streaming content corresponding to the first content request based on a stored content map (col.9, lines 18-24, 64-67, col. 10, lines 1-28); searching a plurality of secondary servers to identify at least one secondary server that contains at least a type of content that corresponds to the streaming content corresponding to the first content request if at least one secondary server is not known (col. 10, lines 10-28); in response to the searching step, adding to the stored content map the at least one identified secondary server located by the search (col. 10, lines 21-28) and transmitting, based on the at least one secondary server identified in the content map, the second content request to that at least one secondary server in response to either the adding step or the at least one secondary server determining step (col.10, lines 24-28, col.12, lines 37-45, col.13, lines 19-30, 52-67, col.14, lines 1-5, 16-25, 49-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Major, Burns, Doyle and Shannon because Shannon's teaching of accessing control and database matching enables Major, Burns and Doyle's method to match the content categories in the request and

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determine whether the user is permitted to access the particular server to obtain the requested content.

Response to Arguments

38. Applicant's arguments with respect to claims 1-2, 4-8 and 11-29 have been considered but are most in view of the new ground(s) of rejection.

Conclusion

39. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Landsman et al, US 6,880,123.

Shapiro et al, US 6,965,926.

- 40. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.
- 41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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ksl

December 13, 2005

JOHN FOLLANSBEE SUPERVISORY PATENT EXAMINER